IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No. 5791 of 2000

Jai Hind Shikshan Prasarak Sanstha ..Petitioner

vs.

Zilla Parishad, Sangli and others ..Respondents

Shri P.D.Dalvi for petitioner
Shri P.M.Patil, A.G.P. for respondent nos. 2 to 5.
Shri Gite i/b Shri Anilkumar K.Patil for respondent no.6
Shri N.J.Patil for respondent no.8

CORAM: S.B.MHASE AND D.G.KARNIK JJ.
3rd February, 2006

P.C.

1. Heard learned Counsel appearing for the parties.

2. By this petition the petitioner challenges the order dated 20th August, 1999 passed by respondent no.3 rejecting the proposal of the petitioner for opening of a secondary school for the year 1999-2000. In our view, the petition has become infructuous by passage of time. The proposal for opening of a school was only for one year i.e. 1999-2000. Academic Year 1999-2000 is already over. Such permission cannot now be granted in the year

2006. We, however, observe that if the petitioner makes anapplication for opening of a secondary school for the Academic Year 2006-2007, the said application shall be considered by the respondents on its own merits. The petitioner would be entitled to satisfy to the respondents thatr the grounds of rejection mentioned in the order dated 20th August, 1999 are incorrect and do not apply to his case. With these observations the petition is disposed of. Rule discharged. No order as to costs.

(D.G.KARNIK J.) **(S.B.MHASE J.)**